

109TH CONGRESS
1ST SESSION

S. 1312

To amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2005

Mr. MCCAIN introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reducing Conflicts of
5 Interests in the Representation of Indian Tribes Act of
6 2005”.

7 **SEC. 2. ADDITIONAL EMPLOYMENT RIGHTS.**

8 Section 104 of the Indian Self-Determination and
9 Education Assistance Act (25 U.S.C. 450i) is amended by
10 striking subsection (j) and inserting the following:

1 “(j) ADDITIONAL EMPLOYMENT RIGHTS.—

2 “(1) IN GENERAL.—Notwithstanding sections
3 205 and 207 of title 18, United States Code, an offi-
4 cer or employee of the United States assigned to an
5 Indian tribe under section 3372 of title 5, United
6 States Code, or section 2072 of the Revised Statutes
7 (25 U.S.C. 48), or an individual that was formerly
8 an officer or employee of the United States and who
9 is an employee of an Indian tribe employed to per-
10 form services pursuant to self-governance contracts
11 or compacts under this Act that the individual for-
12 merly performed for the United States, may commu-
13 nicate with and appear before any department, agen-
14 cy, court, or commission on behalf of the Indian
15 tribe with respect to any matter relating to the con-
16 tract or compact, including any matter in which the
17 United States is a party or has a direct and sub-
18 stantial interest.

19 “(2) NOTIFICATION OF INVOLVEMENT IN PEND-
20 ING MATTER.—An officer, employee, or former offi-
21 cer or employee described in paragraph (1) shall
22 submit to the head of each appropriate department,
23 agency, court, or commission, in writing, a notifica-
24 tion of any personal and substantial involvement the
25 officer, employee, or former officer or employee had

1 as an officer or employee of the United States with
2 respect to the pending matter.”.

3 **SEC. 3. EFFECTIVE DATE.**

4 The effective date of the amendment made by this
5 Act shall be the date that is 1 year after the date of enact-
6 ment of this Act.

